

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dany Sylvain

Serial No. 10/824,039

Filed: 04/14/2004

For: **PERSONAL COMMUNICATION DEVICE HAVING MULTIPLE USER IDs**

Examiner: Sonia L. Gay

Art Unit: 2614

Mail Stop Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. § 1.131 OF JOHN R. WITCHER, III

1. My name is John R. Witcher, III; I am currently employed by the law firm of Withrow & Terranova, PLLC, and I am a registered U.S. patent attorney, Registration No. 39,877.
2. Starting about February 2000, and continuing until about April 2006, I was in-house counsel for Nortel Networks Limited (hereinafter "Nortel"), the assignee of the present application.
3. While I was in-house counsel at Nortel, my duties included receiving invention disclosures from inventors employed by Nortel and reviewing these invention disclosures in the order in which they were received.
4. My duties, while I was in-house counsel at Nortel, also included being a member of a patent review committee and participating in patent review committee meetings. At patent review committee meetings, the invention disclosures I received were discussed. As part of the invention disclosure review process, I received feedback from other members of the patent review committee regarding the received invention disclosures. The feedback included whether or not a patent application should be prepared and filed relating to the subject matter of the received invention disclosures. The feedback was provided both at the patent review committee meeting and for a period of time afterwards.

5. The invention disclosures discussed at the patent review committee meetings were discussed in the order in which they were received.

6. I received an invention disclosure (hereinafter "present invention disclosure") pertaining to the present application on or about October 6, 2003, attached herewith as "Appendix A".

7. At the time of receiving the present invention disclosure, I had a number of other invention disclosures (hereinafter "prior invention disclosures") on my docket, which had to be reviewed and discussed at the patent review committee meetings prior to reviewing and discussing the present invention disclosure. Accordingly, between October 6, 2003 and about January 20, 2004, I handled the present invention disclosure in the order in which it was received in accordance with my standard practice. I reviewed the present invention disclosure, submitted it for review to the patent review committee, discussed the present invention disclosure with the other members of the patent review committee, and received feedback from other members of the patent review committee regarding the present invention disclosure and whether or not a patent application relating to the subject matter of the present invention disclosure should be prepared and filed. I then used the feedback from the patent review committee in conjunction with my own review of the present invention disclosure in coming to a final decision as to filing a patent application related to the subject matter of the present invention disclosure.

8. On January 20, 2004, as a result of receiving the present invention disclosure, reviewing the present invention disclosure, discussing the present invention disclosure with other members of the patent review committee, and receiving feedback from other members of the patent review committee, I requested that Ben Withrow prepare and file a patent application related to the subject matter of the present invention disclosure, as evidenced by the letter attached as Appendix B.

9. I hereby declare that all declarations made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

John R. Witcher, III
John R. Witcher, III

January 9, 2009
Date

Appendix A

Nortel Networks Confidential & Privileged Information

OCT - 6 2003

Invention Disclosure Submission Reply

Disc No:	16472RO	Received Date:	04 oct 2003
Disc Title:	Multiple userID for personal communication device		

----- Inventors -----

Global ID	Name	Work Info	Home Info
150485 1	HR Name: SYLVAIN, DANY Known As: DANY Email: sylvain@nortelnetworks.com Mgr First Name: STEPHEN Mgr Last Name: ELLIOTT Mgr Global ID: 1010825	Location: 3500 CARLING AVENUE NEPEAN ONTARIO K2H 8E9 CANADA Location Code: CAR Dept: 3A10 Phone: 3937925 Ext Phone: 6137637925 Fax: 6137653313 Ext Fax: 6137653313 MailStop: 04352H09 Citizenship: CANADA	Address: 6 RUE DE BANDOL GATINEAU, QC CANADA J8T 6A6 Phone: 08195614981

----- Attachments -----

File Name	File Type	File Comment
Multiple_profile_communication_device.ppt	Microsoft Powerpoint (*.ppt)	

<End of Attachments>

Were there additional inventors involved?	no	Was there contractor involvement?	no
Name of Supervisor or Divisional Head:	Name of V.P. or Manager:		
STEVE ELLIOTT	SUE SPRADLEY		
Job:	WIRELINE NETWORKS**	Business Unit:	CTL/VOIP
Conception Date:			
Has this invention been discussed with others? If so, please complete:			
Inside Nortel - Whom?		Outside Nortel - Whom?	
Inside Nortel - When?		Outside Nortel - When?	
Is this invention PDA?	no		
Are you aware of any imminent future disclosures? Please provide date and details:			

Nortel Networks Confidential & Privileged Information

Keywords for Searching:		Products that will use this invention:	
Multiple registration, personality, profile, call routing, SIP,		MCS, IMS	
Does this invention arise from any arrangement involving an external organization?			no
Has this invention been relevant to Standards Activity?		Internal Funding Projects:	
no			

Technical Information

Brief Description of the Invention:

Personal communication is evolving where "calls" or sessions are made toward a user and no longer toward a device (the PSTN paradigm). This new communication method allows greater flexibility and makes it easier to reach users. The closest to this model today is the cell phone where typically a user equals a phone number which is unique to the user. However users typically have multiple roles in their daily activities, for example a work role and personal role. Since most people prefer to carry only one communication device (e.g. cell phone) at a time, there is a need to facilitate the use of that device for the multiple roles, as opposed to use separate devices.

This invention proposes that the communication device support multiple userID and associated profile and services. These can take the form of separate SIP userID, potentially registered to separate servers and domains. This would allow the user to be reachable everywhere using either userID but also being able to selectively use one or the other userID (e.g. turn the work userID "off" after work hours, allow only urgent calls, etc.). This type of configuration is best applied to mobile "clients", preferably to devices like cellular phones but could be used with other devices like PDA or personal computers.

In addition, if the personal device is capable of both WLAN and cellular communication, it is also possible to associate two separate phone numbers to the same phone for reachability while in cellular mode.

Further, the invention allows arbitration of communication using the various userID and presenting a unified user interface for all userID, providing either separate or common call logs, personal directory, messages, etc. for the various userID.

Problem Solved by the Invention:

Being able to use a single communication device to cover the various user roles and being able to manage in an integrated fashion the communication needs for these various roles.

Solutions that have been tried and why they didn't work:

- Carrying one separate device for each role (multiple cell phones): impractical
- Use one of multiple devices: expensive and prone to errors
- Multiple virtual SIM: works in the cellular environment but doesn't apply to WLAN environment. Also this solution has limited flexibility in the ability to control incoming calls and messages.

Specific elements or steps that solved the problem and how they do it:

See charts

Commercial value of the invention to Nortel and Nortel's major competitors:

As dual mode phones become popular, users will want to be able to use them for both professional and personal applications. This invention should prove highly desirable by users.

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Dual Personality - 1

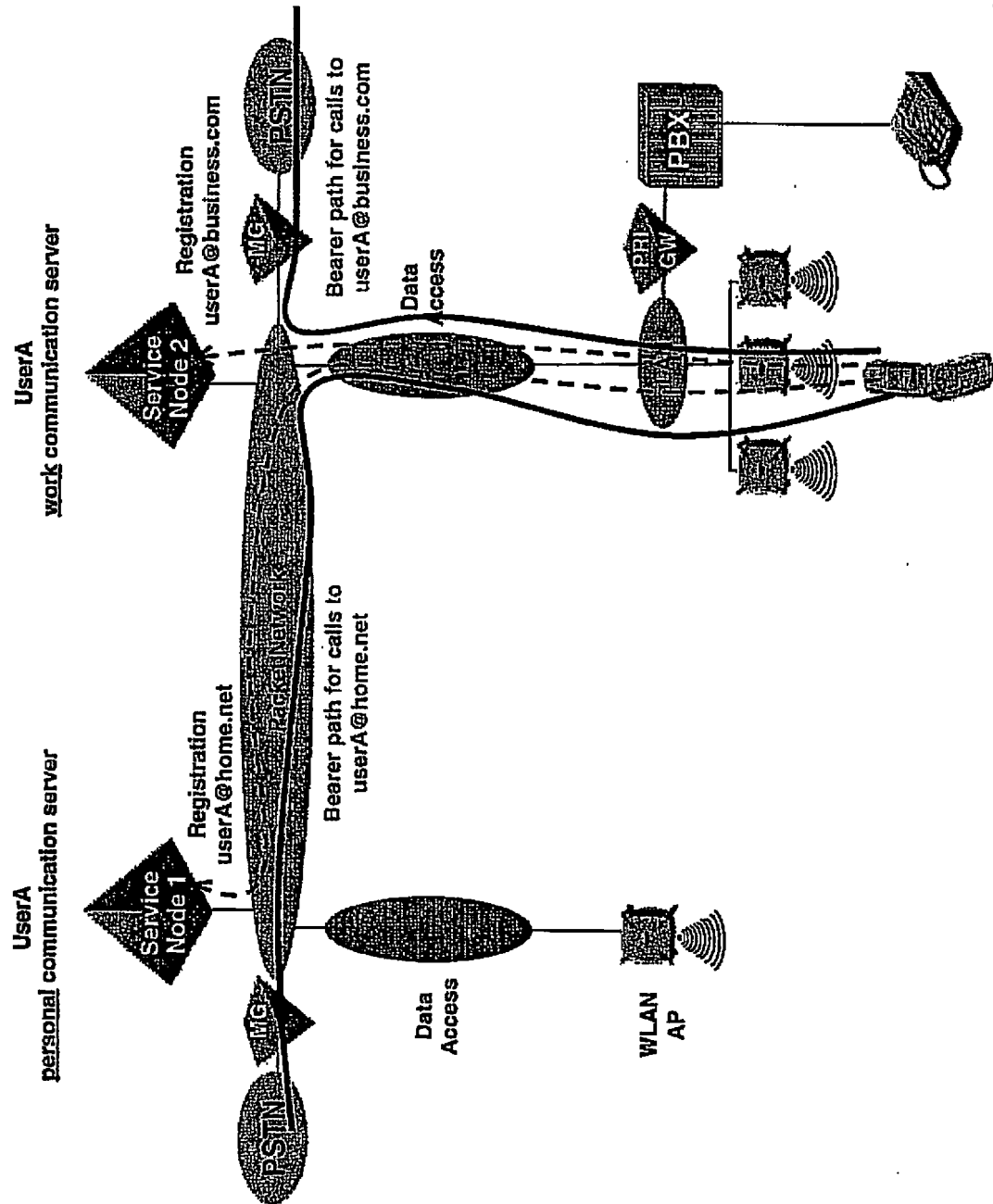


Figure 1

Dual Personality - 2

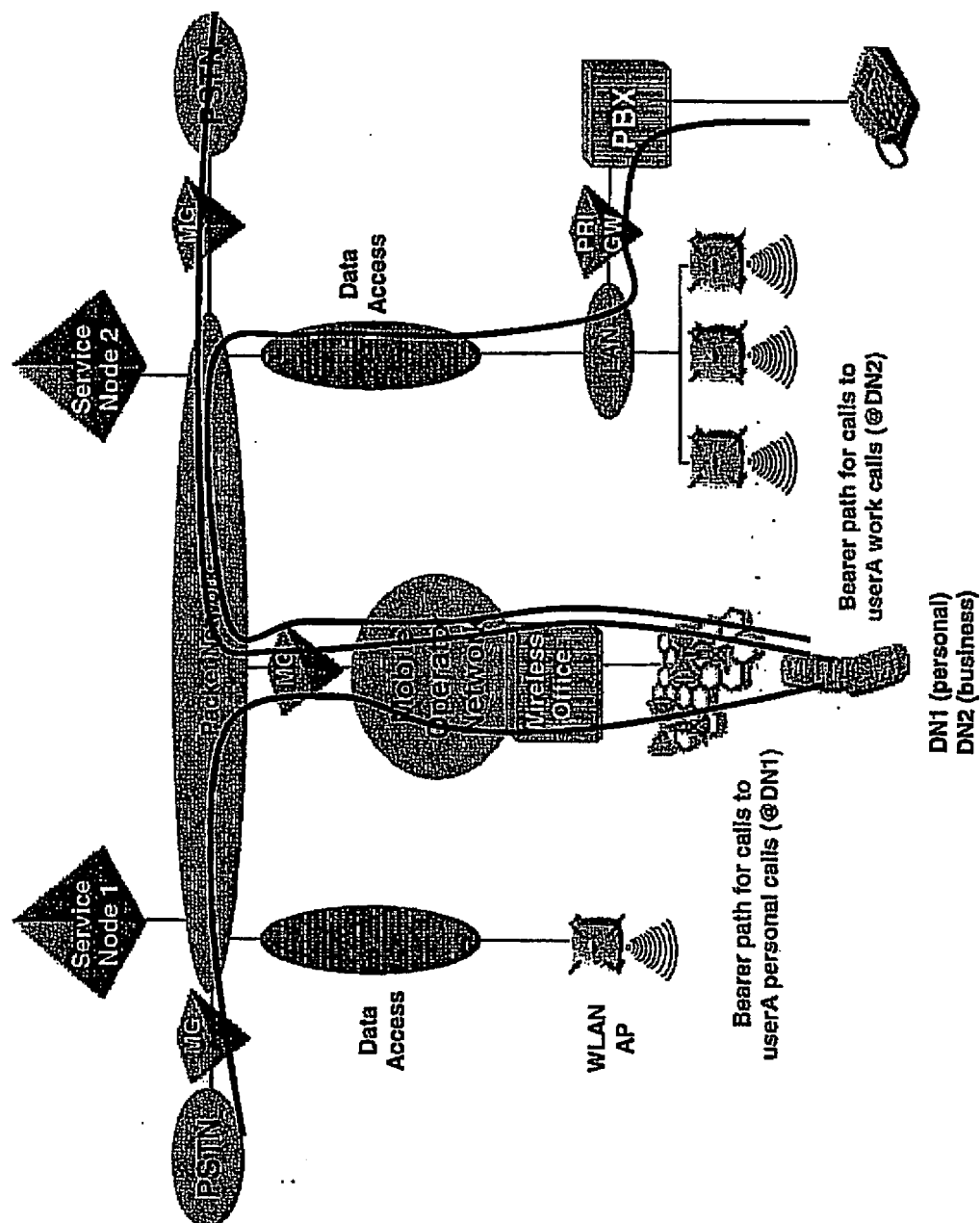


Figure 2

Device Type 1

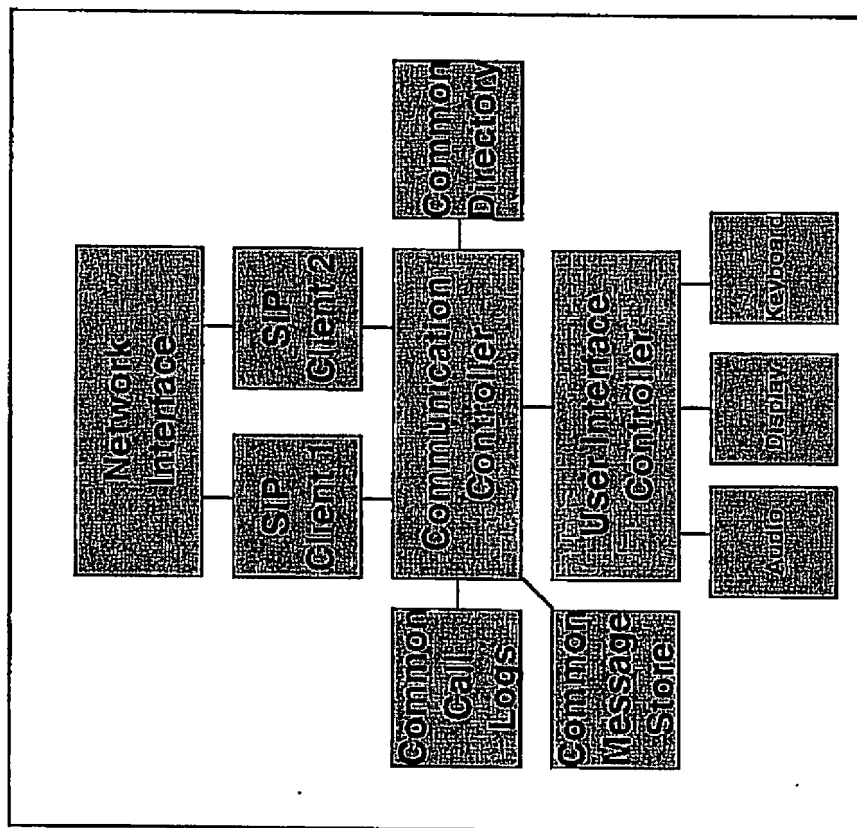


Figure 3

Device Type 2

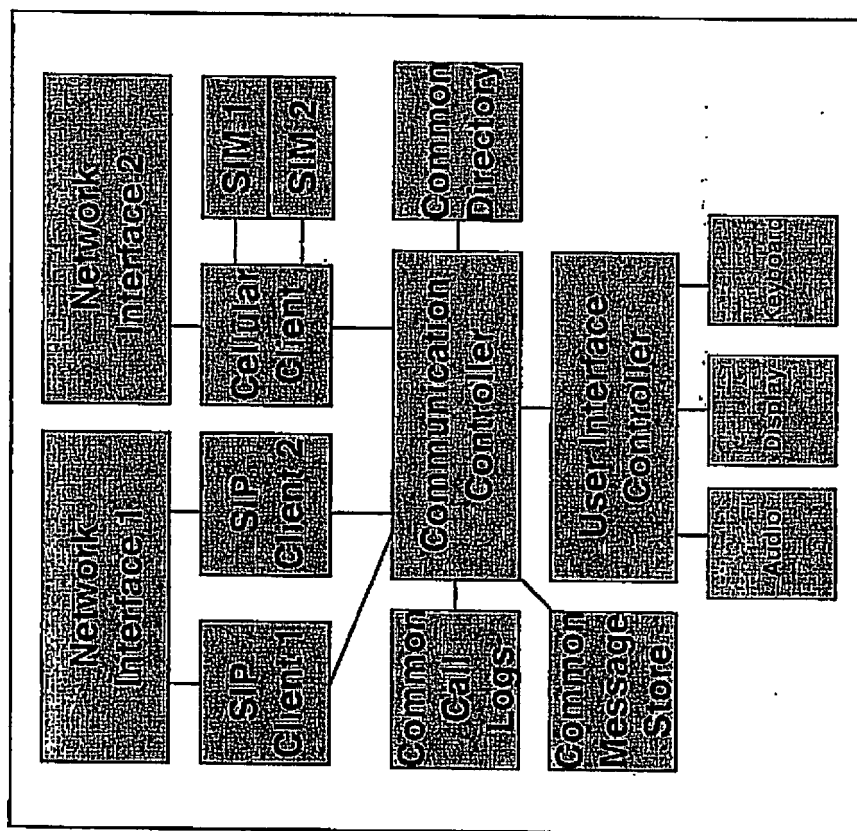


Figure 4

Appendix B

7000-338



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John R. Witcher, III
Senior Counsel

**NORTEL NETWORKS CONFIDENTIAL &
PRIVILEGED COMMUNICATION**

January 20, 2004

VIA FEDERAL EXPRESS

Mr. Benjamin Withrow, Esq.
Withrow & Terranova
201 Shannon Oaks Circle
Suite 200
Cary, NC 27511

Re: Invention Docket No.:
 Title: *Multiple User ID for Personal Communications Device*

Dear Ben:

Nortel Networks would like to retain you to prepare and file in the United States Patent and Trademark Office (USPTO) a patent application directed to the invention disclosed in the enclosed invention disclosure by the above-referenced filing date. The application should be prepared according to Nortel Networks guidelines in accordance with the predetermined fee we have agreed with your firm. If you are unable to perform the requested work, please advise me immediately.

In addition to the invention disclosure, an invention disclosure Review Summary document is enclosed for your consideration. We request that you contact the primary inventor, Dany Sylvain, at within two weeks of receiving this letter. Please ensure that the inventor(s) are advised of their responsibilities regarding their duty of candor to the USPTO, as well as any other relevant rules and/or laws including the best mode requirement.

Questions pertaining to substantive issues associated with the application should be addressed with me, while administrative issues associated with the application should be addressed with Theresa Boyce. Please be sure that all communications associated with the application, including billing statements and the application itself bear the above-referenced disclosure number.

Please send a substantially complete and final draft of the application to me along with a completed Nortel Networks Outsource's Patent Application Checklist at least 10 days prior to the above-referenced filing date to provide Nortel Networks' Intellectual Property Law Group sufficient opportunity to review the application prior to filing. You should seek to obtain the signatures on the formal papers from all inventors directly.

**Please confirm receipt of this disclosure via facsimile to the above-identified number.
Please include your assigned reference number.**

Upon filing the application with the USPTO, immediately fax a copy of the application transmittal letter to me, so that we have a record that the application has been filed. Thereafter, please send me a hardcopy of the application as filed along with an electronic copy in Microsoft Word 6.0 readable format on a 3 1/2" floppy disk.

Should you have any questions, please call me

Very truly yours,



Rick Witcher

Enclosures: Invention Disclosure
 Review Summary
 Patent Application Outsource Checklist

JRW:slw

cc: Dany Sylvain